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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/665,190	09/12/2000	Thelma G. Manning	95-18A2	9011
75	90 04/24/2003			
Robert Charles Beam			EXAMINER	
Attn: AMSTA-A Building 3	AR-GCL		MILLER, EDWARD A	
Picatinny Arsenal, NJ 07821-5000			. ART UNIT	PAPER NUMBER
			3641 DATE MAILED: 04/24/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
N. d. C. Alexander and	09/665,190	MANNING ET AL.			
Notice of Abandonment	Examiner	Art Unit			
	Edward A. Miller	3641			
The MAILING DATE of this communication app					
This application is abandoned in view of:					
 Applicant's failure to timely file a proper reply to the Office (a) ☐ A reply was received on (with a Certificate of N period for reply (including a total extension of time of (b) ☐ A proposed reply was received on, but it does 	failing or Transmission dated month(s)) which expired on), which is after the expiration of the			
(A proper reply under 37 CFR 1.113 to a final rejection application in condition for allowance; (2) a timely filed Continued Examination (RCE) in compliance with 37 (n consists only of: (1) a timely filed ar I Notice of Appeal (with appeal fee); (mendment which places the			
(c) ☑ A reply was received on <u>14 March 2003</u> but it does no non-final rejection. See 37 CFR 1.85(a) and 1.111. (3	ot constitute a proper reply, or a bona	fide attempt at a proper reply, to the			
(d) No reply has been received.	· · · · · · · · · · · · · · · · · · ·				
2. Applicant's failure to timely pay the required issue fee and from the mailing date of the Notice of Allowance (PTOL-8	5).				
(a) ☐ The issue fee and publication fee, if applicable, was, which is after the expiration of the statutory position Allowance (PTOL-85).					
(b) The submitted fee of \$ is insufficient. A balance of \$ is due.					
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$					
(c) \square The issue fee and publication fee, if applicable, has no	ot been received.				
3. Applicant's failure to timely file corrected drawings as requallowability (PTO-37).	uired by, and within the three-month p	period set in, the Notice of			
(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.					
(b) No corrected drawings have been received.					
 The letter of express abandonment which is signed by the the applicants. 	e attorney or agent of record, the ass	ignee of the entire interest, or all of			
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.					
6. The decision by the Board of Patent Appeals and Interfer of the decision has expired and there are no allowed clair		e the period for seeking court review			
7. The reason(s) below:					
See next page.		•			
		•			
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraminimize any negative effects on patent term.	aw the holding of abandonment under 37	CFR 1.181, should be promptly filed to			

Application/Control Number: 09/665,190

Art Unit: 3641

1. The supplemental reply to Paper No. 10, which Paper No. 10 was mailed September 16, 2002, which reply was filed on March 14, 2003, is still not fully responsive to the prior Office.

The declaration submitted is improper since it refers to an application different from the instant application. See Paper No. 7, paragraph 8, as well as Paper No. 10, paragraph 1, which required applicant to submit a new oath or declaration, properly identifying the application by serial number and filing date. Applicants were repeatedly advised that the instant application serial number is not "09/351,350", but 09/665,190. That the correct Serial Number is known to applicants is further shown by the Serial Number on the front page of the instant amendment and by the amended "Cross Reference to Related Applications" which specify the correct serial number and that it is a continuation-in-part of S.N. 09/351,350.

Notwithstanding the prior detailed explanation, the declaration submitted with applicants' reply, containing fax markings indicating a fax date of 3/14/2003, still refers to this application as SN 09/351,350. Therefore, applicants have failed to do what was required of them by the Office, having been previously advised of the proper steps to take. The full statutory six months time for reply, 35 USC 133, has expired.

Therefore, this application is held abandoned, 37 CFR 1.135(b), for failure to take such complete action as the condition of the case requires, c.f., Paper No. 10, page 6, paragraph 3.

2. Any inquiry concerning either this or an earlier communication from the Examiner should be directed to Examiner Edward A. Miller at (703) 306-4163. Examiner Miller may normally be reached Monday-Thursday, from 10 AM to 7 PM.

If attempts to reach Examiner Miller by telephone are unsuccessful, his supervisor Mr. Carone can be reached at (703) 306-4198. The Group fax number is (703) 305-7687.

If there is no answer, or for any inquiry of a general nature or relating to the application status, please call the Group receptionist at (703) 308-1113.

Miller/em April 9, 2003

EDWARD A. MILLER PRIMARY EXAMINATE